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BY ECF

May 1, 2023

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Nickolas Sharp
21 CR 714 (KPF)

Your Honor:

I represent the defendant in the above referenced matter. Although I made the defendant's family and friends aware of the deadline for letters of support several of the letters arrived a day late. Please accept my apologies for this late submission to supplement my sentencing memo, but I feel the letters add an important perspective on Mr. Sharp's life.

Respectfully,
/s/Matthew D. Myers
Attorney at Law

Cc: AUSA Vladislav Vainberg

Roger J. Sharp
17870 NW Avalon Dr
Portland, OR 97229

April 30, 2023

The Honorable Katherine Polk Fallia
US District Court Judge
US District Court SDNY

RE: Nickolas Sharp
Case 21 CRIM 714

Dear Judge Fallia:

I was deeply saddened to learn that my nephew Nickolas Sharp had entered a guilty plea to several of the charges in the indictment against him. I have read the indictment and the press releases related to this case, and I believe without reservation that the acts which he admitted are serious aberrations from his lifetime of responsible and even exemplary behavior. While heartbroken by Nick's serious mistakes in connection with this case, I am comforted that I have witnessed so much of his good behavior and potential that I can feel privileged to write this letter in his behalf for your consideration in connection with his sentencing.

For at least the last five years Nick and his family have lived fairly close to my wife and me. We have spent many social occasions together. I have personally seen that Nick treats his wife and children with great respect, kindness, patience, and love. I have great affection for him in part because he is such an outstanding husband and father. His partnership with his wife is a daily blessing to her and to their children. Nick is the primary caregiver for their younger children. He is the one cooking most of the dinners in his home. He is the one home schooling the children. His daily work on behalf of his children is guiding them to becoming capable and confident members of society, and they are great kids right now. I fear his extended absence from the home would create an unhealthy, punishing void in the lives of his wife and children. Therefore, I hope that you will be able to craft a sentence sufficient to reflect the seriousness of Nick's crimes without separating Nick from his family for long.

After the indictment but before entering his guilty plea, Nick lost at least two tech industry jobs paying salaries over \$200K per year. He is almost certainly not going to be able to get another high-paying job in the tech industry. In fact, I understand that even before the guilty plea, Nick had a job offer as a night janitor for a golf club withdrawn because of the public attention given his case. The onerous stigma of his crimes has

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already cost him several hundred thousand dollars and will likely cost him many times that amount in the future. Perhaps these lost employment opportunities can be considered when imposing any additional punishment for his crimes. However, I think this also points out Nick's need for vocational training to aid in his rehabilitation. My wife and I believe we might be able to help with that.

My wife is the owner of a licensed general contracting business, a licensed real estate broker and a home stager. I am the responsible managing individual for the general contracting business. We primarily purchase, remodel and sell homes for a living. We take run-down housing and turn it into much better, safer housing. We intend to give Nick the opportunity to work with us as soon as his sentence allows. Because I have worked beside Nick in the remodeling of my family's future home, I know personally that Nick has outstanding abilities in the construction field, not only in his knowledge of construction materials and techniques and skill in using tools, but also in his ability to see how to solve problems to create something better and to communicate his vision. My wife and I have several projects pending at this time where Nick's skills could be put to immediate good use. We also evaluate additional potential properties every week, but we are limited in what we can take on until we get someone like Nick to expand our capacity. Between our pending projects and the new project opportunities we will see, we could keep Nick busy doing good work for a long time. We believe the skills he already has and those he would gain working with us would quickly give him a new vocational opportunity which could provide for his family and allow him to make progress in paying his rather substantial restitution obligation. I hope you will be able to craft a sentence allowing him to commence this rehabilitative vocational training at the earliest date you deem appropriate.

Nick's construction skills could also be put to good use in community service with Rebuilding Together Portland (rtpdx.org), a non-profit organization that assists low-income homeowners with needed repairs, or with the better-known Habitat for Humanity. A supervised release with this type of community service would provide a much greater benefit to society at a much lower cost than incarceration.

Nick is not a violent person for whom incarceration is necessary to protect the public. He is an individual with documented ADHD, a mental health condition which affects impulse control. Apparently, Nick impulsively made some serious mistakes which were different from anything anyone who knew him, including Nick, would have expected. Realizing the severity of his impulsive actions seems to have caused him serious depression. I believe his depression will be resolved more quickly if he is able to return to productive work more quickly, and I hope that you will be able to craft a sentence

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which both retains his access to his medical care for his ADHD and depression and allows him to quickly get to work using his abilities to benefit himself and others.

Thank you for your consideration of my comments as you do your best to exercise your responsibility to sentence my nephew.

Best wishes,


Roger J. Sharp

Letter Addressed To: Honorable Judge Failla

I first met Nick in 2005, we met through mutual contact. He brought me in for an interview, one that I never thought would happen. It was with a startup company, an honest dream of mine. I was overdressed for the occasion. We chatted for a bit, met the team, and he offered me a game changer of an opportunity that I took. Since this life changing handshake, we worked together in unison, respectfully, and adamant on doing what needed to be achieved. It was really quite enjoyable.

We parted ways professionally but not personally in 2020. We not only worked together but bbq'd, met each other's family, and chatted tech & life.

Nick is a great dad, and person. One that helped me out with any questions or concerns I had, walking me through what needed to be done. Very much a great Dad, helped and encouraged his kiddos with whatever they came across on YouTube -- the backyard Ninja Warrior Course and Lego Table projects he wouldn't stop talking about really stand out.

He helped me to realize a side of me professionally that I knew existed, but hadn't been given the professional platform to express. He helped me achieve building my confidence, and allowed a place for me to express and contribute without judgment. I had not been given this guidance or freedom with previous employers, and will forever be grateful for him in allowing me the opportunity to grow. His direction and guidance has taken me to higher levels professionally that I otherwise wouldn't have had the opportunity to do.

I would like to close by simply saying Thank You.

Sincerely,
-Beau

Beau Madsen

4/26/2023

DocuSigned by:  DS
Beau Madsen
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To: Honorable Judge Failla

I met Nick Sharp while working at Nike. He was hired on as the technical lead to guide the a massive re-architecture of the core systems needed to support high-energy launch events. He entered the team and quickly established himself as a leader. He is not a touchy feely guy, but for those that mesh with him, they become supremely loyal.

Professionally, I feel that he's amazing. In our technical space, there are often two camps of leaders. Those who talk a lot but don't actually know how to build. And there are those who know how to build but don't have a high degree of tolerance for mediocrity. Both me and Nick fall into the latter category. We are driven. We demand success and perfection (as close as we can get). He can be gruff, but, he is wired to do the right thing. To be fair. Even if fair, means letting someone know they didn't live up to the expectation. A bit of tough love so to speak.

Personally, I know everything he does is for his family. His wife and kids. From what I know, I can tell that he's super invested in his children's lives. He has a strong desire to live a life where he has ample time to spend with his children as they grow up. It's very important to him. If I recall correctly, he build an amazing tree house for the kids, and I know he's very hands on at home. Something I really admire.

Additionally, Nick was a huge help on a project earlier this year. He was professional, clear on the work, and delivered an outstanding work product with minimal guidance. He was responsive to each of my requests and delivered early. He was extremely helpful.

All said, he's a great dad, partner, technologist, and mentor.

Sincerely,

A handwritten signature in black ink, appearing to read "Dedrick Boyd". The signature is fluid and cursive, with the first name "Dedrick" being more prominent than the last name "Boyd".

Dedrick Boyd

April 29, 2023

The Honorable Judge Failla,

My name is Starlee Sharp and I married Nick's older brother, Michael. I have known Nick for almost 18 years. Throughout those years, I've come to love and admire Nick for many reasons.

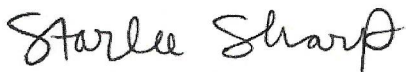
He is a man that works hard. From serving a two-year mission for his church, building houses, working professionally, and caring for his family, he has always shown that he's not afraid of a challenge or to try new things. He's committed to his responsibilities.

I have always appreciated Nick's honesty, albeit brutal at times. He speaks his mind and doesn't shy away from telling the truth as he sees it. He is intelligent and eloquent and I'm always fascinated by what he has to say.

He is an incredibly devoted husband and father. I've seen him engage with his children in ways that ignite their curiosity and build their confidence. He invests much time attending to the physical, emotional, and intellectual needs of his family. I see him as a man who is deeply committed to their overall health and well-being.

I don't know all the details related to this case, but I really, really hope that you can find a way to let Nick continue to provide the love and support his family, and especially his young children, need. There's really no substitute for a loving and loyal father in the home.

Thank you for your consideration!

A handwritten signature in cursive script that reads "Starlee Sharp". The ink is dark and the signature is fluid.

Starlee Sharp (Nick's sister-in-law)

Honorable Judge Failla:

My name is Michael Sharp, and I'm Nick's older brother. I'm 3 years older than him, and have (obviously) known him all of our lives. I love him and his family. I also *like* him personally, and am grateful that he's part of my family.

We were a pretty close family growing up - did a lot of things together, supported each other, etc. Nick and I had overlapping interests: we were both in marching band, wrestling, learned spanish, went to church together, etc. Nick was a fun kid, quick to tell jokes and get a laugh out of the family. I didn't see him as much after I graduated High School and left home, but we kept in touch and I was happy to see him be successful in college school, religious service, university, etc.

Nick was always one to choose his own path - while things usually worked out well, that sometimes meant things were difficult along the way. But one thing I admire about Nick is his commitment and dedication. Whether it's family, profession, etc Nick is all in. He can be ornery about it, but at the end of the day he does a good job, does what's right, and does right by all the people involved.

From a family standpoint, it's been really cool to see Nick be a dad. He married a gal that had two kids from a previous relationship, and he loved those kids like they were his own. He and his wife then had 3 other children together, and Nick is just totally devoted to them. Without wanting to take anything away from his wife, my observation is that Nick shoulders most of the burden of child care, even while working full time. He's generally the one cooking, taking the kids to activities, showing up at the kids ninja course exhibitions, etc. You can tell those kids love their daddy.

From a professional standpoint - Nick was just scrappy and hard-working, always pushing himself to learn and understand more. He actually worked with me at my startup for a few years back when we were both living in Utah - we were sad to see him move to Oregon and take another job, as he was doing some really good stuff for us in software engineering. Since then his career has continued to grow, as organizations have put more and more trust in him and his technical and leadership abilities.

I don't pretend to know or understand all the details of what happened at Ubiquiti. But I can say that it's entirely inconsistent with the brother, husband, father, and professional that I know and love. I would hope for clemency as you consider how to resolve the situation - please let my brother continue to provide for and be with his family.

Thank you,



Mike Sharp (Nick's oldest sibling)